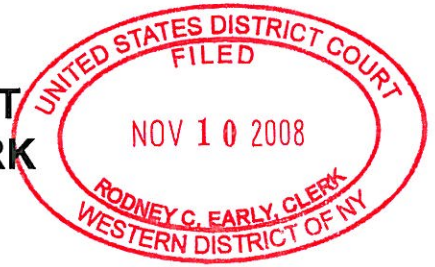


**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK**



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JOHN DOE 96A0785,

Plaintiff,

-vs-

DONALD SELSKY, *et al.*,

ORDER  
08-CV-6199-JWF

Defendants.

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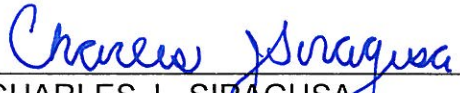
This Court entered a Decision and Order on June 10, 2008, directing Plaintiff to file a new signed authorization with the correct filing fee. Plaintiff did so on June 30, 2008, then moved to amend his complaint on July 15, 2008, which the assigned judge, U.S. Magistrate Judge Jonathan W. Feldman, granted in a letter order docketed on August 27, 2008. On October 10, 2008, the undersigned granted Plaintiff's request for a twenty-day extension to file his amended complaint. Now before the Court is the amended complaint, which was postmarked on November 4, 2008, from Elmira Correctional Facility, seven days beyond the deadline set by the Court. However, Plaintiff has included a letter with his amended complaint explaining that his amended complaint was timely posted on October 24, 2008, but returned to him by the correctional facility mail staff for what he asserts was "a bogus claim that I didn't fill the Certified Mail Receipt out correctly. Furthermore, it had also been opened and a few pages were missing which I had to replace." (John Doe 96A0785 letter to Hon. Charles J. Siragusa (Oct. 29, 2008), at 1.)

Therefore, the Court interprets Plaintiff's letter as a request for an enlargement of time under Federal Rule of Civil Procedure 6 and, for good cause shown, grants the same. The Clerk is directed to file the amended complaint and notify Judge Feldman, to whom this case is assigned. Plaintiff should mail all further correspondence to the assigned judge, the Hon. Jonathan W. Feldman, U.S. Magistrate Judge, 2330 Kenneth B. Keating Federal Building, 100 State Street, Rochester, New York 14614, unless notified that the case is reassigned.

IT IS SO ORDERED.

Dated: November 6, 2008  
Rochester, New York

ENTER:

  
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CHARLES J. SIRAGUSA  
United States District Judge